SEX OFFENDERS AND THE LAW: BERNICE ENGLE

THE Nation

September 4, 1954
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The Vargas Story

by Carleton Beals

Committee on Horrors

The Kersten Show

by Carey McWilliams

EVERY WEEK SINCE 1865

Iron Maiden for Labor — *Bernard Nossiter*

The Rights of Man — *J. Alvarez del Vayo*

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SEP 21 1954

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WHEN our book club, The Nation's Choice, was born some nine months ago, we took out our rabbit's foot, turned a deaf ear to assorted murmurings of gloom and doom from assorted prophets in the publishing industry, and took to whistling while walking by graveyards.

Today I'm happy to report that The Nation's Choice is experiencing some of the very nice problems which accompany success. In a relatively short time we developed a group of subscribers who purchased books regularly.

During this same time, subscribers began to suggest improvements for our club. It was suggested, for instance, that we set up an automatic notification system. Some asked why we didn't extend the club beyond our subscribers, as a means of furthering the growth of *The Nation.*

We mulled over these and other suggestions and we have come up with a project which has the staff pretty much excited. Beginning next week The Nation's Choice will become a nation-wide book club. This has necessitated certain changes in our method of operating—all of which will be spelled out in next week's issue.

We believe that there is a definite market throughout the country for a liberal book club. We also believe that by expanding the club we will be in a better position to secure better buys on books, hence in a better position to pass the savings on to you.

Be sure to look for next week's issue which will contain the full story of the new book club and how you can become a member.

EARLIER this year, when Samuel Harris Cohen, New York labor attorney, wrote on the Eisenhower Administration and its position on the Taft-Hartley law for us, the author warned he didn't really have enough space to say everything that needed saying. Well, he finally did get the space: the *Labor Law Journal* published a study by him analyzing the Taft-Hartley law and various proposed changes which runs to forty-seven pages. It is just about the most comprehensive study of the law, its economic and political effects, that has yet been written. Reprints are available from Mr. Cohen at 1776 Broadway, New York City.

LAST July 17 when I mentioned that one of our subscribers had some back files of *The Nation* to give away I was inundated with requests. Among them was this from Frederick Jaeger in Western Germany:

"I happened to read your kind offer in *The Nation* and I would be only too glad if you or one of your readers could help me and friends over here in Western Germany to read your outstanding publication regularly. . . . Your splendid interpretations of today's problems and events will bring a better understanding on all issues which Germany, Europe, and the world face at present.

"Other people may hunt for material things only, but I am happy to tell you that there are still people in Germany who long to read (if they could afford it) a publication like yours. That is because we wish to see another Germany arise out of the ashes of a shameful past, a Germany that sincerely works for a peaceful understanding with all nations of goodwill, for democracy's and mankind's sake."

Normally we have a fund to accommodate such requests; there have been so many, however, that it is exhausted. If any of our readers would like to pass their weekly copy on to Mr. Jaeger I'd be happy to send along his address.

COUPLE of weeks ago William G. Carleton reported in *The Nation* on the resurgence of a more liberal spirit in Texas. His report was a bit too early to catch the results of the primary in the Twelfth District which helped confirm Carleton's conclusions. Wingate Lucas, anti-labor Congressman, was defeated in his bid for re-election by Jim Wright, a labor-supported candidate. MARTIN SOLOW

Letters

Senator Watkins on S. A. C. B.—and Some Contra Arguments

[*In view of the additional responsibilities placed upon the Subversive Activities Control Board by certain provisions of the recently enacted bill outlawing the Communist Party (see Bernard Nossiter's article in this issue) the following two communications are especially timely. Senator Watkins, Republican of Utah, a member of the Senate Committee on the Judiciary, is chairman of the* ad hoc *Senatorial panel which is hearing the charges against Senator McCarthy. Norman Redlich, an occasional contributor to* The Nation, *was co-author with Loren Frantz of Does Silence Mean Guilt? Mr. Redlich's letter was received before Senator Watkins's.*—EDITORS THE NATION.]

Dear Sirs: Permit me to raise a pertinent point of grammar with respect to the argument between Professor Frederick L. Schuman and Editor Carey McWilliams over the operations of the Subversive Activities Control Board in your May 1 issue. Mr. McWilliams contends that the S. A. C. B. was set up to prey on liberalism while Dr. Schuman maintains that the agency exists only to control communism, but Mr. McWilliams insists that future history will bear out his fears.

If the future is the past in profile, should we not, in appraising the S. A. C. B., turn first to such of its history as is already written? I submit that on the record of the controversy in which the agency originated, and on the record of its performance, liberalism stands in no more jeopardy from the S. A. C. B. than it did from President Truman, who, after the overriding of his veto of the Internal Security Act which established the agency, named the first five members to the board.

It is true that, in interposing his veto, Mr. Truman, although not alarmed over the proposed control of Communist action, expressed grave doubts about the precision of the language that defined the Communist fronts which, along with Communist-action organizations, were to be controlled. Singling out the last of four criteria for a front, that is, the one which makes the parallels between an organization's policies and those of a Communist-action organization a test of front activities, Mr. Truman argued that by this standard labor unions and liberal organizations could be branded fronts (unions advocate higher wages and so does the Communist Party, whence a labor union could be stamped a front).

Standing alone, this fourth criterion might indeed have been mischievous, but there are three others: (a) the extent to which those managing the alleged front are active also in a Communist-action organization, (b) the extent to which the alleged front gets financial aid and other support from a Communist-action organization, and (c) the extent to which the funds, resources, and personnel of the alleged front are used to promote Communist action [Int. Sec. Act, Sec. 13 (F)].

It is hard to see how the definition could be made more explicit and precise. As to the point of grammar, each criterion is joined to the next by the conjunction "and," wherefore the board, in passing on front cases, must consider not

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THE Nation

EVERY WEEK SINCE 1865

EDITORIALS

The Shape of Things

The Irreconcilables

The French National Assembly began its great debate on E. D. C. in an atmosphere strained by the incessant efforts of the Government and its supporters to reconcile the irreconcilable: the opposition to German rearmament and the desire to avoid a major break in the Western coalition. Churchill, to whom Mendès-France turned after Brussels, was in no position to offer help. The British continue reluctant about involving themselves in E. D. C. beyond the extension of general support. Churchill was doubtless equally reluctant to irritate the Americans by going out of his way to help the French Premier.

Some London officials shared the American view that the Brussels débâcle was unnecessary; Mendès-France, they were convinced, could have forced the National Assembly to accept E. D. C. had he thrown the full weight of his popularity behind it. But the very first hours of the Assembly debate proved how little foundation existed for this belief. There is no majority for ratification. The Premier had shrewdly refused to submit the issue to a confidence vote—a refusal predicted by Mr. del Vayo three weeks ago in the columns of this journal.

As the week began Mendès-France and his followers were maneuvering to win the Assembly's endorsement of the E. D. C. changes for which the French Premier had sought and failed to win support at Brussels. Should the endorsement be forthcoming, Mendès-France could attend a proposed second E. D. C. meeting with a far stronger hand.

The Sound Alternative

Many realists are writing off E. D. C. and turning their attention to possible alternatives. One would be to make West Germany sovereign and rearm it as a member of NATO. A second plan envisages the creation of a "little NATO" within the larger organization which would consist of the E. D. C. states—Benelux, Italy, and Bonn—with the addition of Great Britain. Mendès-France is believed to favor this second formula.

But neither of these plans, nor Mendès-France's protocol amending the E. D. C. text, serves to keep Germany disarmed, a consummation devoutly sought by millions of people throughout the world. This could be accomplished only through negotiation with Russia, possibly by way of another Big Four conference. Such a course would be based on the assumption that the Soviet Union, in order to avoid German rearmament, would be ready to concede enough to make possible the creation of a unified, neutralized, and permanently disarmed Germany.

The ultimate test for Premier Mendès-France is whether he has the strength, as he unquestionably has the will, to put through such a project.

Formosa: The Risks Are High

The hit-and-run raid of the Chinese Communists on the island of Quemoy, following so closely in the wake of Secretary Dulles's statement that American forces would be justified in defending Nationalist-held islands, adds point to the recent warning of Albert Ravenholt, a correspondent with expert knowledge of the Far East, that the risk of a general war in the Pacific over Formosa is greater than any we encountered in Korea or Indo-China. In the Formosan Straits, the United States and China are brought into a direct face-to-face relationship; the Nationalists lack even South Korea's limited claim to independent status. Even so, Chiang has a dangerous capacity and talent for mischief. Alarmed by tensions which have developed within his own regime and faced with a build-up of Chinese Communist military power along the coast, Chiang is anxious to induce Washington to advance our air-and-naval screen, heretofore limited to Formosa and the Pescadores, to include the off-shore islands now in his hands. At the same time, he is trying to worm his way into whatever Southeast Asian military pact emerges from the Manila conference which convenes on September 6. Annoyed by the marauding expeditions of General Chennault's Civil Air Transport along the south China coast and by the efforts of Nationalist naval craft to harass coastal shipping headed for Chinese ports, the Communists are determined to drive Chiang from the off-shore islands.

As tension has mounted, the need for clarification of American policy has increased but the decision-makers have been divided. The raid on Quemoy was doubtless intended to test the meaning of Mr. Dulles's statement. But if the Chinese Communists are uncertain what the

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statement means, so are the American people. Does it mean, as some have said, that a decision has been actually reached in Washington to defend the Tachen Islands, fourteen miles from the mainland, which Admiral Stump inspected recently and which were visited for the first time by four American destroyers? If the Joint Chiefs have reached a decision it has yet to be announced. In the meantime, the ambiguity of Mr. Dulles's statement is itself a dangerous factor in an inherently dangerous situation.

No Comment Necessary

The following item appeared in the Monterey (California) *Peninsula Herald* last month:

Battle Creek, Mich. (U.P.).—An unemployed lodger who claimed to be an F. B. I. agent shot and killed his landlady because "thought rays" told him she was a Communist.

Mrs. Beulah Pontius, forty-year-old mother of six children, was shot three times early Sunday, and police arrested Robert Roscoe for investigation of murder. "I just shot the biggest Communist in the world," said the twenty-eight-year-old lodger as he handed the gun to police.

Police said Roscoe, who rented an upstairs apartment in the Pontius home, told them he also planned to kill the woman's husband, Chester, forty-two. However, the husband had just left for his bakery job when Roscoe broke down a hallway door leading into the family's section of the house. "I knew they were Reds because of thought rays that penetrated into my room from their quarters," police quoted Roscoe.

Police said Roscoe was not an F. B. I. agent. Nor was there any reason to indicate Mrs. Pontius and her husband were subversives, police said.

End of a Chapter

Not with a bang, surely, and hardly even with a whimper, a hectic chapter in American foreign economic policy came to an end when the Senate Foreign Relations Committee voted to liquidate the Foreign Operations Administration next June 30. It seems ages ago—it was only seven years—that General Marshall, then Secretary of State, first proposed large-scale foreign economic aid as a post-war reconstruction measure. In the intervening period such aid has been one of the major instruments of American policy, particularly in Western Europe.

When the program was first launched those who suggested that it might have some military significance were not infrequently denounced as "fellow-travelers," "dupes," or worse. Yet as early as 1951, well before the European Recovery Program had run its course, the NATO countries were warned that further economic aid would be directly related to, and even conditioned on, the degree to which they devoted their resources to

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military preparations. And when the Senate committee recently approved three billion dollars for 1954-55, the lion's share was earmarked for purely military purposes. "The only resemblance of the present program to General Marshall's original program," commented the *Wall Street Journal* on July 14, "is that it involves billions going to foreign countries."

With F. O. A. scheduled to close down a year from now, economic aid should be terminated by June, 1956. What type of foreign economic policy will Congress adopt to take the place of the various schemes and hopes of the Marshall Plan period? Will the alarmist "anti-communism" of this period abate now that the need to wangle large "economic-aid" appropriations from a doubting Congress has ceased? To what objectives will we attempt to harness the unused productive potential of American industry? Obviously the time has arrived for an agonizing reappraisal of our foreign economic policy, which implies, of course, a reappraisal of American foreign policy.

The Sweezy Case

BY H. H. WILSON

WITH public attention distracted by federal legislation and the antics of Congressional committees undermining civil and political liberties, there is a tendency to ignore measures and actions by the states which are even more repressive. State legislatures enact extreme versions of federal statutes and minor league imitators of Congressional practitioners strive to perfect their demagogic skills so that they too may move into the big time. For the political morale of the nation the activity at state level is often more serious just because it attracts neither national attention nor organized resistance. Illustrative are the current New Hampshire proceedings involving Paul M. Sweezy, co-editor of the *Monthly Review,* and Dr. Gwynne H. Daggett, associate professor of English at the University of New Hampshire.

Last year the New Hampshire legislature passed a resolution directing the Attorney General to inquire into violations of the state's Subversive Activities Act of 1951. This measure states the Communist Party to be part of a foreign-controlled conspiracy dedicated to the violent overthrow of the United States government and defines a subversive to be one who teaches or advocates the overthrow of constitutional government by force and violence. In April of this year, in the case of Elba Chase Nelson, the State Supreme Court upheld the constitutionality of the 1951 act and the resolution of 1953.

Paul Sweezy first appeared at a closed hearing on January 3, 1954. At that time he stated that he had never been a member of the Communist Party, had never attended any party meetings, did not know any party members in New Hampshire, and had never advocated the overthrow of constitutional government by force and violence. But he declined to answer questions concerning ideas, beliefs, and associations which "could not possibly be pertinent" to the New Hampshire law. On June 3, this year, Sweezy was again interrogated by the Attorney General in a closed three-hour session. Again he refused to answer questions "outside the scope of your inquiry," including questions about the Progressive Party and the content of a lecture on "socialism" which he had given by invitation in a Humanities course at the University of New Hampshire.

On June 28 a court hearing was begun before Justice Robert F. Griffith in the Merrimack County Superior Court of New Hampshire. Sweezy and Professor Daggett, who had also been twice questioned in closed hearings and had taken the same position, were now ordered to answer the questions or be cited for contempt of court. Under New Hampshire practice the penalty for contempt of court is jail until the individual chooses to answer the questions! In accordance with contemporary standards of integrity, courage, and devotion to democratic principles, Governor Hugh Gregg had previously stated publicly that if Daggett did not respond to the court order he would be dismissed from the university. With the issue identical there was nothing to be gained by both men being penalized. Assured that Paul Sweezy would continue to test the legality of the statute, Professor Daggett reluctantly answered the questions and the case against him was dismissed. On June 30 Paul Sweezy was declared to be in contempt of court and sentenced to jail by Justice Griffith. Despite the opposition of Attorney General Louis C. Wyman, whose standards were revealed when he assigned an assistant to record the license plate numbers of people who attended the hearing, Mr. Sweezy was released on $1,000 bail and the case has been appealed to the New Hampshire Supreme Court.

THIS is an important case deserving the broadest public support. Paul Sweezy is a private citizen, not a government employee or a teacher in a public institution. Here again is a bald abuse of official power, for the nominal purpose of New Hampshire's law is to provide for prosecution of those who promote the violent overthrow of constitutional government. But in this instance both individuals testified under oath that they did not believe in or advocate the use of violence. Once again it is made apparent that investigations sanctioned to defend constitutional government are being utilized to deny political freedom to those who may hold unpopular views, or any opinions at all. Freedom of speech, press, and association become devoid of meaning when their exercise may provoke official investigation and the threat of prosecution for perjury or contempt.

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THE VARGAS STORY

Nation in Transition . . *by Carleton Beals*

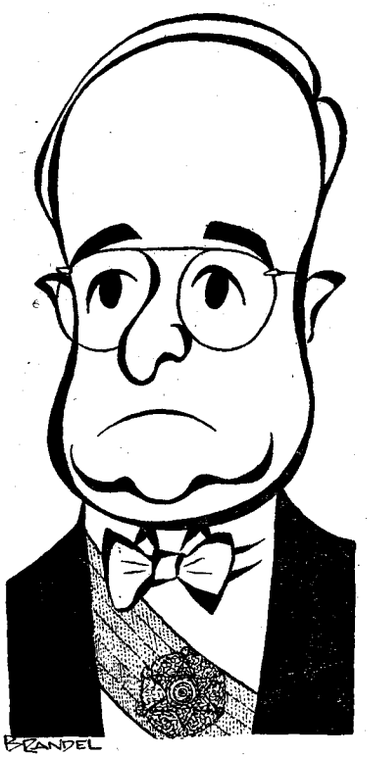
THE initial phase of the Brazilian presidential pre-election campaign of October, 1955, is over. Its dramatic climax is the suicide of elected President Getulio Vargas in the early dawn of August 24. The generals who crowded him to his death are in the saddle. Bets are on as to how long they can ride out the storm.

Vargas was a 1930 depression product. In that year he led the cowboy *vaqueiros* of Rio Grande do Sul, his native state, and the miners of Minas Gerais against the political domination of the São Paolo coffee barons. He dies in the midst of a "prosperity depression," amid skyrocketing prices, national unrest, and the stresses of the old war and international finance.

Vargas came into power in a prostrate country, weighted under nearly three-quarters of a billion dollars of foreign debt, when the smog of burning coffee, the only important export those days, hung over the land. He took the reins in a country larger than the United States, the greatest store-house of raw materials on earth, but with a coolie standard of living and less education than the more backward banana countries of the Caribbean.

In 1930 Brazil was buying less than $30,000,000 worth of goods from the United States. Today, next to Canada, it is this country's leading market by a wide margin; it has absorbed more than a billion dollars of United States private capital, nearly as much Canadian capital.

During Vargas's quarter-century rule, broken only by a five-year interlude, great factories rose, new crops were grown, new metals were mined, new roads and railroads were laid down. A transcontinental line reached on to the Pacific. Air travel linked Brazil to the outside world. The Amazon basin is today laced with air lines. Even model cities were dropped from the skies into jungles never before trod by white men. His public career spanned the industrial revolution in Brazil. Much of this growth must be credited to Vargas's policies: his promotion of basic government and private steel industry against incredible odds; his ability to blackmail the United States for money by alternate threats of nazism or communism; his clever manipulation of Brazilian raw products to get higher prices on the world market; his boldness in facing up to foreign capital and diplomatic pressures when he felt the interests of Brazil were at stake. He set Brazil on the road from backward colonialism to modern national independence.



Getulio Vargas

In spite of this magnificent material growth, the promotion of better health (much of it with the aid of the United States), and the building of fine new technical and agricultural schools, educationally Brazil is still one of the more backward countries in Latin America. And Brazil is still a country of coolie labor. Industrial wages in 1938 were only $11 a month; they average little more than $50 a month even now, and the gains in the standard of living have been wiped out by runaway inflation. Already reduced purchasing power is beginning to drag on the roaring march of new industry, to block the modernization of agriculture, and pinch the growing urban centers for food.

The rapid industrial revolution has set up social stresses: a struggle for control by feudal and new industrial groups, labor and peasants, the new middle class, the army. On top of this have come constant international pressures, both economic and ideologic: the days of the Nazi-Fascist drive when a million armed marching Green Shirt Integralistas, backed by the great German, Italian, and Brazilian industrialists of São Paolo and by Catholic Action helped Vargas establish his Estado Novo (November 10, 1937) which wiped out all local and state government and made Brazil the pawn of his personal whims. In 1935 the Communists revolted and again, in 1946, 800,000 Communist votes piled up. There was also the pressure of the United States: for defense, private capital investment, for freer trade, for oil and other concessions, and against communism, and also against the diseases of the slums and the jungles.

VARGAS was ousted in October, 1945, by the head of the army, General Eurico Gaspar Dutra. Smarting from a public speech of censor by Ambassador Adolph Berle, Vargas laid the blame not on his own suppression of civil rights and sudden flirting with the Communists, but on "international finance" and "foreign capitalists." "Trusts and monopolies could not forgive my government for having taken away from a foreign syndicate the Rio Dolce Valley iron mines . . . to incorporate them into the national patrimony."

CARLETON BEALS, author and lecturer, spent many years in Latin America. Among his books is "Rio Grande to Cape Horn."

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He staged a comeback as candidate of the Labor Party in the elections of October, 1950, winning out over two army candidates.

Ousted by another military coup this year, he left a suicide note: "A subterreanean campaign of international groups, joined with national groups, revolting against the regime of workers' guarantees" had blocked his "law of excess profits" and had raised "a storm of hatred" because of his upward revision of the minimum wage. They had fought his government oil monopoly, Petrobras, and his government hydroelectric development, Electrobras. He accused foreign companies of taking out profits of 500 per cent a year and of defrauding the government of more than $100,000,000 on false declarations of imports. Those "birds of prey" had forced him to give up efforts to defend coffee prices.

THE immediate instrument for Vargas's downfall and suicide is the army, particularly the air corps. In 1930 he had purged the army to weld it into an instrument of his own will. His Labor Party victory in 1950 brought on a coalition of rival military elements against him, deriving their financial support from the industrial concentration of São Paolo, and their popular support from a new middle class fearful that Vargas might again seize absolute power and alarmed by his efforts to improve the economic condition of the masses.

Serious difficulties began early in January, 1953, when the police began cracking down on opponents to the proposed Brazilian-United States defense pact—an opposition due partly to Communist propaganda, but also to strong nationalist elements and to fear, among business groups, of American competition. The opposition was so vigorous even though all protests were banned and the jails were filled to overflowing, that ratification had to be postponed. Vargas may have desired this delay. Not until loans of over $300,000,000 were extended was the treaty ratified on May 1, 1953.

Bitterness continued. The coercive ministers had to resign from the cabinet. The courts began acquitting persons falsely accused of Communism, including four career diplomats. Coincident with Dr. Milton Eisenhower's goodwill visit, the newspapers from Left to Right criticized the loan features, the efforts of American oil companies and American policies, and the conservative *Correo da Manha* charged that the United States had reneged on its loan promises. Eisenhower pledged himself to getting more aid. July 30, 1953, the International Bank of Reconstruction and Development made $152,000,000 available and a few days later the terms of the Export Import Bank were eased.

BEFORE the year was out, the pressures against labor, tax, and other legislation, caused Oswaldo Aranha, traditional friend of the United States, to denounce foreign capital and loans with considerable heat. New regulations curbing foreign capital were put into effect. In September *Ultima Hora,* leading Vargas paper, proposed recognition of the Soviet Union and trade. Cabinet Minister Lins de Barro announced there was real possibility of renewal of such relations. Hints were thrown out of a possible rapproachment, political and economic, with "neutralist" Argentina.

Definitely a new trend had set in, partly due to the urgency of Brazil's economic situation, a year of freezes and drouths that had brought peasant rioting in the North (blamed on the Communists, of course), terrible inflation, and misery in the midst of the most extraordinary prosperity in history.

Minister of Labor João Goulart announced concessions to labor and set about actively to promote new unions. The very next day Ambassador Kemper publicly warned against the foes of freedom. Vargas ordered a 50 per cent increase in the minimum wage and persisted in his efforts to impose an excess profits tax. The army reaction against Goulart was intense. Eighty-two army officers, chiefly from the air force, drew up a criticism of Vargas's concessions to labor and at the same time demanded an increase in army pay. Both Goulart and the Minister of War were forced to resign.

In spite of the increased income of nearly half a billion dollars from higher coffee prices, the economic situation deteriorated rapidly. Brazil announced it could meet repayments on the April, 1933, loan only if it drastically curtailed commercial payments and blocked imports of goods from the United States. Alarmed by the growing signs of social unrest in the country, the United States hastened to reduce payments to a third.

But Vargas was squeezed from two sides—by the São Paolo industrialists, by the demands of foreign companies, and by diplomatic pressures on the one hand, and on the other by the strong resurgence of communism, which had been outlawed by President Dutra. The dickering in the army of who would succeed Vargas in October, 1955, grew more intense. Fears of his concessions to labor and the evidences of lack of harmony with the United States increased the nervousness. The killing of an air officer by unknown assassins when he was accompanying Carlos Lacerda, a prominent newspaper editor, provided the spark for army revolt. Lacerda, an ex-Communist, a bold and bitter anti-Vargas editor, was a close supporter of General Eduardo Gomes, the leading opponent of Vargas in the 1950 elections. It provided the opportunity for Gomes to advance his presidential aspirations by a bold stroke. The unknown assassins were accused of being members of Vargas's personal Catete Palace guards and instigated by Vargas's own son. For a short time the army wavered, but finally joined with the air force. Faced with the combined demand of fifty-eight generals that he resign, deprived of all armed support, Vargas put a bullet through his heart. In his statement he did not blame the army but the elements manipulating it:

> I have fought month to month, day to day, hour to hour, resisting constant aggression. . . . I was the slave of the people. . . . But this people to which I am a slave no longer will be a slave to no one. . . . When hunger beats at your door, you will feel in your hearts the energy for the fight for yourselves and your children.

Vargas's death has not cured the inflation or solved any of Brazil's economic or international problems. It is likely to precipitate division in the armed forces, and it means that General Gomes now can never assume power except by further violence or faked elections. Whatever the inconsistencies and the abuses of Vargas, and they were many and terrible, his accomplishments are majestic. He laid the basis for a greater Brazil. And whatever charges may be leveled against him by his enemies or by history, his death represents no victory for justice, decency, or freedom.

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COMMITTEE ON HORRORS

The Kersten Show . . *by Carey McWilliams*

OF the various free-wheeling Congressional committees that will be roving the land, competing for headlines, between now and November 2, the Kersten committee is the least known but most likely runner-up to McCarthy's for top publicity billing. Indeed it promises to be the biggest show of all. Other committees have staged dramatic and turgid performances but the Kersten group specializes in raw melodrama, with blood and torture, rape and murder. Counts, countesses, and even a king or two have appeared before it. Ladies with beautiful voices have testified, from behind screens shielding everything but their shapely legs, to multiple rapes by lecherous Soviet soldiers. Other committees have ferreted out subversive activities in almost every corner of these United States but the Kersten committee is perhaps better known in London, Munich, and Berlin, where hearings have been held, than in New York, Chicago, and Cleveland. One of its next hearings will be devoted to Guatemala and tomorrow it may well appear in Tokyo or Rio de Janiero. Its European junkets have cost the taxpayers a pretty penny, for a retinue of hangers-on, staff members, and wives have been taken along, for the ride and the fun.

LONG curious about the committee's work, I sat in on last week's New York hearings of a subcommittee on Hungary headed by Congressman Alvin Bentley and came away convinced that the committee was cunningly conceived and that its direction is skillful and astute.

The committee has an interesting history. Originally it was known as the Baltic committee or more properly the Select Committee to Investigate the Incorporation of Lithuania, Latvia, and Estonia into the U. S. S. R. The House so thoroughly relished its first interim report that it was enlarged and its jurisdiction extended to include "all other areas controlled, directly or indirectly, by world communism"—a sizable jurisdiction, all of it outside the United States, its territories and possessions.

At last week's hearings a parade of distinguished Hungarian refugees, with the familiar Budapest elegance, suavity, and mock servility, recited a collective saga of Communist torture, repression, rape, theft, and assorted crimes and misdemeanors, none of which were committed on American citizens or on American soil or were in any way subject to American jurisdiction. Most of the witnesses were former Hungarian officials—members of parliament, ministers, cabinet officers, police spies, "jurists"—full of hate, embittered, and, quite naturally, eager to have someone restore them to their former eminence. One had the feeling that here was a kind of government-in-exile counting the days until it could be returned to power. But there was something pathetic about them as there is, no doubt, about all exiles and refugees who still feel that they should be recognized for what they once were but are no more. The hearings were well covered by the press but for most of the time the hearing room was nearly empty, with the refugees, a solidarity of the dispossessed, pooling their hopes and dreams and hates, lonesome for the old Budapest, listening to one another.

Then Miss Ilona Massey, Hungarian-born actress, took the stand and regaled the Congressmen with the story of her "hungry, unhappy" childhood during World War I and under the short-lived Communist regime of Bela Kun. "I was always hungry, dirty, and bedraggled," she said, voice, manner, and appearance giving an ironic shading to the words which James J. McTigue, subcommittee counsel, promptly sensed. "Sort of an ugly duckling?" he inquired, and the lovely princess smiled her assent. "She was wearing," to quote from a newspaper colleague's description, "a pink and white Gibson Girl gingham dress, with a petticoat-padded bouffant skirt. Her costume was studded with brilliants and she carried a white straw bag, topped by a spread of imitation fruit." Of course, Miss Massey had left Hungary fourteen years ago, but only a cad or a Communist would want to question the relevance or competence of her testimony.

NEXT day Madame X, "member of an aristocratic family," testifying from behind a screen, told of being raped by seven Soviet soldiers while her mother, her father, two maids, their father, and "a Jewish lady" and her husband were in adjoining rooms. Later the seven rapists asked the husband to play the accordion and the maids to dance, and all obliged. The next day "two or three" of the soldiers returned and raped Madame X again: "I don't know how many times." Asked by Congressman Bentley—an unassuming, agreeable young man with pleasant voice and manner—if this experience was not perhaps the exception rather than the rule, she vehemently insisted that it was wholly unexceptional. No effort, of course, was made to test her credibility or to fill in obvious gaps in her story. Indeed throughout the hearings the committee was obviously trying to create impressions, not to sift facts. Most of the questions were either loaded or leading. At the close of the hearings, I heard Congressman Bentley record a summary for the Voice of America—for broadcasting to Europe—in which he said that the sole purpose of the committee was to expose the nature of communism. But with so many committees doing just that, one got the impression that this one was as much interested in East European as in American opinion. The hearings, I should say, were pure propaganda. Not that the facts were necessarily false but in the sense that the committee was obviously more interested in organizing a holy war than in putting together a realistic pattern, in perspective, of Communist aggression.

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But the hearings also had a more immediate objective. Earlier in the proceedings witnesses had casually "fingered" Bishop John Peter of the Hungarian Reformed Church, then attending the World Council of Churches meeting in Evanston, as a Communist sympathizer. In the final session it became apparent that the Evanston meeting was the real focus of the current hearings. At one point Congressman Bentley remarked that the committee was trying to gather all possible information "about the people in Evanston." Aided by leading questions, other well-rehearsed witnesses trained their guns on the absent John Peter.

Later, at a press conference at the Warwick Hotel before newsreel and television cameras, Congressman Bentley read a wire which he had just sent to Bishop Albert Bereczky, of the Hungarian delegation at Evanston, inviting him to testify "under oath" before the committee in either Cleveland or Chicago on whether religious freedom exists in Hungary. In accordance with current standards of public manners, the wire was read to the press before it had been communicated to Bishop Bereczky. Just what legislative recommendations could the committee make on such an issue? one reporter innocently inquired. Well, Mr. Bentley said, it might call upon the Administration to urge the United Nations to take some action or it might take the matter up directly with the World Council of Churches. Besides, the committee was interested in the idea of an International Juridical Council of some sort which might conduct trials, in the Nuremberg manner, to punish crimes of the kind that had been described to it. At one point I heard Mr. Bentley say that the committee had no evidence that four of the five members of the Hungarian delegation to the Evanston meeting were anything other than what they purported to be, namely, acknowledged religious leaders.

IN commenting on Mr. Bentley's wire to Bishop Beroczky, the Reverend Franklin Clark Fry, vice-chairman of the World Council's Central Committee and president of the United Lutheran Church in America, for the first time disclosed that he had had a conversation with Bentley earlier in August. At this conference he had received the "distinct impression" from Bentley that none of the churchmen from Iron Curtain countries would be subpoenaed or otherwise harassed. He then went on to characterize Bentley's subsequent action as "entirely unwarranted, highly improper, unfair, and beyond his rights to ask a foreigner to appear before the committee." This earlier conversation of Dr. Fry with Bentley makes it clear that the subcommittee was trying to intervene in the internal affairs of the World Council and to discredit its deliberations. Delegates at the Evanston meeting affirmed their belief in coexistence although

Representative Bentley

specifying certain conditions "to be met by both sides." But coexistence is the dirtiest word in the Kersten committee's vocabulary. "Coexistence," to quote from the committee's second interim report, "is a poisonous formula distilled by communism—it can lead only to our destruction."

The work of the Kersten committee reduces to its ultimate absurdity the quaintly old-fashioned notion that committees of the Congress are supposed to inquire only in aid of legislation. There is hardly even a pretense, in this instance, that the committee is interested in legislation. It is interested in propaganda; in beating the drums for a Holy War against communism. As such the composition of the committee is quite logical: it is overwhelmingly Catholic. Members Kersten, Feighan, Machrowicz, Madden, Dodd, Bonin, and Hillings are all Catholics; so is the committee counsel, James J. McTigue. The only non-Catholics are Messrs. Bentley and Busbey. Mr. Bentley, a former career officer in the State Department who served, incidentally, two years in Hungary, resigned from the service in 1950 in order "to tell what is happening behind the Iron Curtain and to alert the United States to the menace of communism." Like Mr. Busbey, he sees eye-to-eye with the other members of the committee. The Catholic issue might be irrelevant were it not for the fact that the committee is making an issue of religious freedom. If it is a proper function of a Congressional committee to inquire into the world-wide ramifications of this problem, then conditions in Spain, Italy, and Colombia are just as relevant as conditions in Hungary. There was, of course, no Catholic participation in the Evanston meeting. In the context it is hard to avoid an uneasy feeling that the committee was as much interested in the Protestant World Council of Churches, and what it might say on such issues as coexistence and peace, as in Bishop John Peter.

THE Kersten committee is, in effect, a McCarthy committee. Kersten represents the Fifth Congressional District in Wisconsin, one of the Milwaukee districts. It is said that he is somewhat envious of the fame of the state's junior Senator; but he is a friend of McCarthy's and follows his lead. Congressman Bentley is also a close friend of McCarthy and contributed, together with his former wife, to McCarthy's "anti-Communist" fund. Currently Kersten has a tough election campaign on his hands. His is a schizoid district, almost evenly divided between conservative well-to-do suburbanites on the North Shore and working-class areas. In the last election Kersten defeated Andy Biemiller by a vote of approximately 112,000 to 105,000; in the previous election, it was Kersten 76,000, Biemiller 71,000. This year Kersten will probably face Henry Reuss, who has run for mayor of Milwaukee and was a candidate for the Democratic Senatorial nomination in 1952. He is well known and well liked in Milwaukee and should give Kersten quite a race. There is, therefore, a clear political motivation to the work of the Kersten committee.

But domestic politics as such is not,

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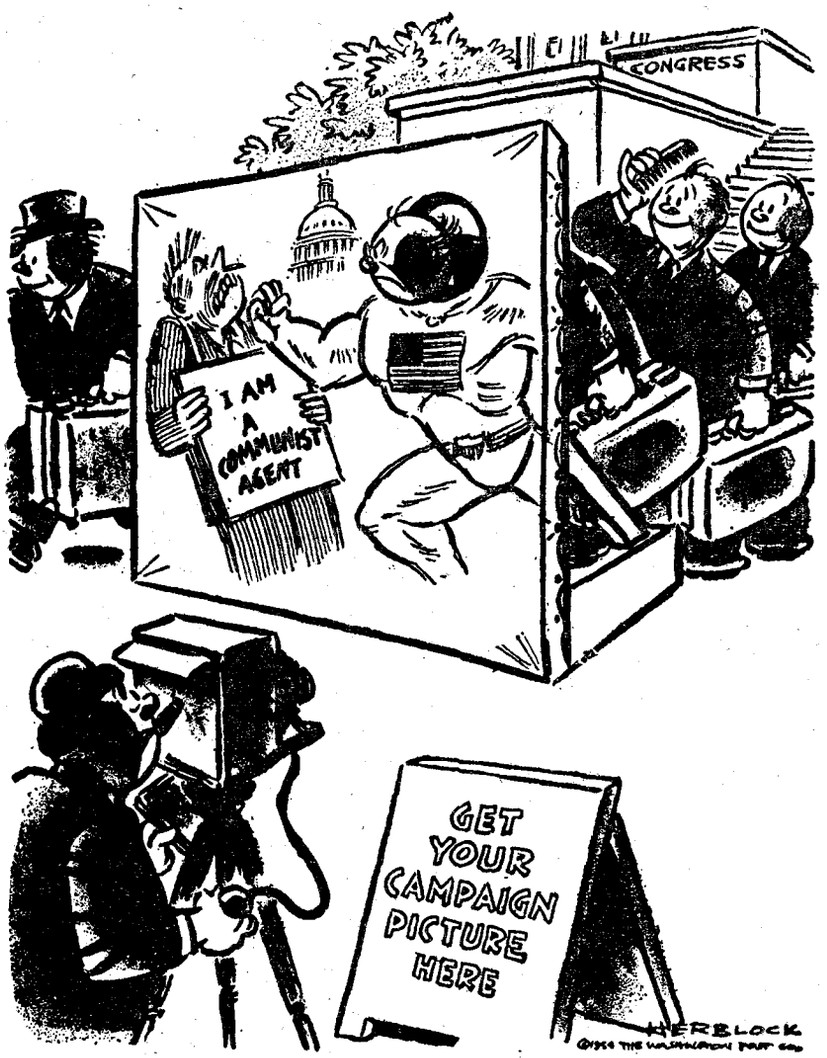
I think, its main business. In effect, the Kersten group is a kind of Georgetown committee on foreign affairs, that is, a committee that can flank, if need be, the standing House Committee on Foreign Affairs, which is larger and more representative. It is difficult to imagine a committee that is more directly concerned with foreign policy than the Kersten panel; its jurisdiction extends from the Iron Curtain to China. Currently we are joining with our allies in removing various items from the list of goods which cannot be traded with Iron Curtain countries. McCarthy has made it clear that he intends to tie into this issue the moment he is free to do so. Harold Stassen will be an immediate target; but McCarthy's fire will also be aimed at Dulles and the President. What he wants to do, of course, is to disrupt East-West trade before it really gets started and thereby to reverse any tendency toward the acceptance of coexistence and a general East-West *detente*. The Kersten committee is an auxiliary in this campaign.

I have already noted examples of the committee's biased, propagandistic techniques. There are others. For example the committee's second interim report placed particular stress on the testimony of Karl Selter, who was Estonian Foreign Minister in 1939; but the identification of Selter was, to say the least, inadequate. In "The Baltic Riddle" (1943) Gregory Meiksins has an interesting chapter on The Baltic Vichy Governments from which one learns that Selter flew to Berlin in 1939, at Hitler's bidding, to conclude an agreement with Germany. The chapter has some fascinating detail about Selter's political views. "The Baltic diplomats," writes Meiksins, "played 'va banc,' and the card on which they bet was a Hitler victory." Is Selter, therefore, a reliable advisor regarding the Baltic states?

On April 14, 1954, Mr. Kersten made a personal attack on Dr. Samuel L. Sharp, the well-known expert on Poland and Polish-American relations. An associate professor at American University, Dr. Sharp is the author of a most readable and illuminating book, "Poland: White Eagle on a Red Field," published in 1953 by Harvard University Press. In his attack on Dr. Sharp and the book, Kersten tried to make it appear that Dr. Sharp's visit to Poland in 1948 was somehow arranged by Jacob Berman, referred to as the secretary of the Politburo of the Communist Party in Poland. But Dr. Sharp met Berman for the first time after he had arrived in Poland. As part of this attack on a scholar who is not a government employee Kersten placed in the Congressional Record, at the request of the Polish American Congress, two derogatory reviews of the book, one by Edmund L. Zawacki and the other by Dr. Jan Karski of the graduate school, Georgetown University.

Or take another case. At last week's New York hearings, Laszlo Varga, a Budapest lawyer, testified, as he put it, on three issues: how personal liberty, political liberty, and freedom of speech had been curtailed in Hungary. In testifying to these restrictions, Dr. Varga clearly implied that they were Communist innocations, previously unknown in Hungary. Yet Hungary abandoned parliamentary government in 1921, and Admiral Horthy will not be remembered as a friend of civil liberties. As early as May, 1938, Hitler disclosed his war plans to Horthy. What were these former officials, who would now advise us on East European policy, doing when Hungary signed the Anti-Comintern Pact in February, 1939, and joined the Axis in September, 1940? One can put up with a certain amount of history rewritten but the attempt, by eloquent silence, to suggest that the Hungary of Horthy—"the last foothold of the Middle Ages," "the country of counts," with its National Front and Arrow Cross and other anti-Semitic fronts—was a model of parliamentary democracy is too large a pill to swallow. Must we take this, too, as part of the reeducation that is being forced on us by Congressional committees? Obviously neither Congress nor the people can hope for an objective analysis of political trends, past, present, or future, from this committee.



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RIGHTS OF MAN

An Old Debate Reopened . . *by J. A. del Vayo*

A VERY serious discussion has been going on for some time among European political theorists and practical politicians. The question at issue is whether classical parliamentary democracy is still an adequate instrument for conducting the affairs of a modern nation-state. The controversy should have more than an academic interest to Americans. This country is involved beyond retreat in the affairs of other nations, particularly those of Western Europe. Their political institutions and practices affect the decisions of Congress. France's parliamentary instability, for instance, has been a continuous source of concern to Washington. And in the long run the United States will not be able to ignore the fact that many European leaders are increasingly doubtful that "free elections," advocated by the West for Germany and by the East for Indo-China, will in themselves constitute a faithful reflection of the people's will in all areas and under all circumstances.

The debate takes on additional significance for Americans because it comes at a time when the United States, for the first time in its history, has outlawed a political party.

Senator Léo Hamon, one of the most intelligent parliamentarians of the Catholic M. R. P. in France, put the question of "free elections" in the baldest possible terms: "In the eighteenth century it was believed that the verdict of the voters represented the will of the majority according to the dictates of reason and had therefore to be obeyed. But who would thus interpret universal suffrage today?" Professor Toynbee, writing of the Ataturk revolution, has observed that "it would have been difficult indeed for the Turks to 'get by' during those ten hectic years under a democratic parliamentary regime."

The whole controversy has been particularly lively in France, where a sense of dissatisfaction and frustration followed the bitter experience of the betrayal of the war-time resistance. Men and parties which were discredited by their collaboration with fascism before and during the war are now resurgent and participate in the political leadership. But the controversy is not at all limited to the disappointed Left. The question being raised concerns the parliamentary system as such, and particularly its capacity to represent accurately or efficiently the interests of the whole nation.

In this connection the overriding issue is perhaps that of achieving a true majority in a parliamentary democracy such as France, for instance, with its multiplicity of parties. Since the last war governments have been sustained, for their usually short lives, by synthetic "majorities" comprising parties or factions temporarily held together by limited common interests. These frail coalitions have ceased to represent actual human majorities unified around broad national programs. Their shifting components fall apart easily, bringing down the Cabinet they support, which promptly makes way for another of similar instability. As a consequence the viability of government itself is demolished, with a loss of public confidence and national strength. It was partly the desperation of the French people with this situation that brought Mendès-France to office and assured him the powers he needed to negotiate the Indo-China truce and effect internal reforms. But it is significant that it required a great national crisis like that of Indo-China to achieve this result.

MODERN parliamentary rule is a relatively recent institution. On the continent it found its beginning in 1791, the year in which the Rights of Man were proclaimed by the French Revolution and the French Constituent Assembly was elected by universal suffrage. But even in France the suffrage was restricted by subsequent amendments of the electoral law. A distinction was established between *active* and *passive* citizens; the latter enjoyed the benefits of natural and civil law, but had no share in choosing their legislators nor could they sit in parliament. The parliamentary franchise was limited to citizens who paid a certain tax called *cens* and the democracy established in France became known as *democracie censitaire.* Under this system, the French electorate consisted of 4,298,000 voters out of a population of 24,000,000.

This qualification of the right to vote was not effected without protest. Mighty voices were raised against it: those of Marat, Robespierre, Camille Desmoulins, Condorcet, and—above all—the Abbé Gregoire. The Abbé was particularly violent in denouncing the financial requirement for voting. And Marat exclaimed: "What have we won by destroying an aristocracy of the nobles if it is replaced by an aristocracy of the rich?"

BUT even when the *cens* clause was abolished in the second election of the Revolution—that of the Revolutionary Convention—the system of representation was still burdened with an element of discrimination. In any case the voter did not directly participate in or continuously control the process of legislation. He exercised his legislative right through his parliamentary deputy who represented him for the period for which parliament was selected—four or five years. Much as in the American system the legislator had *carte blanche* in passing laws.

In theory a deputy who failed to carry out the program on which he was elected, or voted for measures opposed to it, was subject to recall and replacement through a by-election. In practice the recall provision was ineffective. It was easily evaded by means of parliamentary maneuvers. During the Revolution, however, the same result was sometimes achieved by more direct measures. The people of Paris compelled the deputies to do their duty and carry out their electoral promises by invading the legis-

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lative assembly in force and making their will prevail through tumultuous demonstrations. But that would hardly be defined as correct parliamentary behavior.

Nobody denies today that the spread of universal suffrage represented a great historical advance. It gave all men above a certain age the right to choose periodically those who ruled them. In 1848 the European revolutionary movements were united in demanding suffrage for everyone. This demand was on the banner-head of all declarations of the Rights of Man. In spite of many defects, democrats hailed the French electoral law of 1850 as a great victory because it embodied at least the principle of universal suffrage. This principle was also the foundation stone of the constitution of Switzerland, a country often cited today as a model democracy. The constitutions of all the European countries, except for Czarist Russia and a few other autocracies, soon followed suit.

THE first doubts as to the efficacy of the parliamentary system were expressed after World War I. That war, like other great wars, challenged accepted economic and political ideas and brought new demands into the open. The state was confronted with increasingly bitter social problems. The national unity of opposing interests, temporarily created by foreign aggression, was broken at the end of the war and the social struggle was resumed with new intensity. In the less stable democracies the traditional parliamentary system was unable to cope with this challenge.

Fascism offered the solution of violence followed by dictatorship and the cult of the "strong man." It suppressed the elected parliament, together with other democratic institutions, and replaced it by "legislators" nominated by the despot to give his program an automatic approval. But when the fascist regimes finally collapsed in World War II, their naive admirers in foreign countries were shocked to discover that the imposing structure of the corporate state had left the economic and social problems—not to mention the administrative—more acute than before.

Countries that resisted the fascist plague sought other ways of adapting their political systems to the revolutionary situation which had emerged from the first World War. In many European states the power of the executive was greatly enlarged. The French political scientist, François Goguel, discussed this change in his essay on The Deficiencies of the Parliamentary System, published last year in *Esprit* as part of a broad inquiry into the question of "Political Power and Economic Power." Summarizing the experience following both wars, he wrote: "It is no longer parliament that makes the gravest decisions of our national life. Parliament still has the monopoly of questions with which the state occupied itself in the nineteenth century. But this is not the case with most of the questions the state has had to deal with in our century"—a direct reference to the shift of powers to the executive.

The principles upon which the parliamentary system could be reconstructed so as to fit it for the tasks confronting the state—in an era when the complexity of economic problems has been augmented by the mounting pressure of the masses—form the center of the current controversy in Europe.

SEVERAL long-range solutions for the problem are being discussed in France. One is a further improvement in the mechanics of holding elections in two stages when the first ballot fails to produce a clear majority. Another is the grant to the government of broader powers to dissolve parliament. The first reform would create more stable parliamentary majorities by eliminating splinter parties; the second would establish a better balance between the executive and the legislature. Another suggestion frequently heard is the abandonment of many traditional parliamentary rules and procedures, inherited from an earlier period, which now impede the effective handling of urgent issues.

Another much-discussed method of making parliament feel the impact of the popular will, is an old one—the right of petition. It has been often used lately where its exercise has not been interfered with by the government. Petitions may serve as an informal substitute for official plebiscites, or referendums, which in the more populous states could be carried out only with considerable difficulty—even if authorized by law. When public participation is on a big scale, a petition campaign becomes a popular demonstration, dramatizing the contrast between the views of government and those of the people in a way that may force a change of policy. In many current discussions the right of petition is considered as a corrective for one of the most serious faults of parliamentary democracy.

But advocates of such reforms warn against simplifying the problem by instituting a legislature representing only economic and social interests. Bismarck was the first to experiment with such a "corporative" parliament. His obvious intention was to bring into existence a Reichstag he could control. Fascist Italy perfected the system with its "National Council of Corporations" and Nazi Germany later developed the "Reichschamber of Economy" to supplement the spectral Reichstag. Some people may still imagine that the defects of the parliamentary system can be overcome by replacing it with a more restricted body, in which technicians or representatives of special interests pretend to govern for the national benefit. The experience of the United States is frequently cited in the course of this discussion to show how "pressure groups" intervene to affect or control policy. André Berthiot, in an interesting essay published in the *Revue Française de Science Politique*, makes a minute analysis of "lobbying" techniques and shows how big business influences Congress as it does the press and the radio.

THE increasing skepticism with which some European political theorists regard the principle of "free elections" has been deepened by the infringements on the practice which have recently been put through in certain Western countries. Apart from the primary requirement of universal suffrage, the electoral process to be genuinely free must take place under circumstances that permit an uninhibited choice, and also without legal restrictions that qualify the result. Otherwise "free elections," so called, can be used to put a Hitler in power, or a Perón. Since the end of the war both France and Italy have changed their electoral laws for the express purpose of insuring continued strong right-wing majorities. These changes can only be justified in political terms and they were in fact defended on that ground by their sponsors. But in France at least this "re-

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form," which has excluded the Communists from any possible parliamentary majority although they represent one-fourth of the electorate, obviously destroys the very basis of representative government. It also violates traditional democratic principles, which rules out discrimination on grounds of ideology.

In practical terms the European defenders of a limited franchise, in contrast to the situation in the United States, have steadily lost ground as the fear of Russia subsides and the Communists develop their policy of the "outstretched hand." More and more the validity of permanently excluding from government a party with so strong a mass following has become a central topic of the discussions with which we are concerned. It is generally accepted that much will depend on the future increase or decrease in international tension. Paul Fraisse touches upon this in an essay on The Withdrawal of Fear: "An international policy of peaceful coexistence among nations may permit the peaceful coexistence of the Communist Party and other parties in a democratic game, among the conditions of which would be a pact insuring, for a certain period, respect for the present regime in France, without a hidden intention to infiltrate it in order to change it."

In Italy a third rather than a fourth of the electorate supports the left parties: in the 1953 election they collected 34.32 per cent of the popular vote. In the next election they will get still more; for every year 300,000 recruits enter the Italian labor market and the majority of them will vote for the Communists or the left-wing Socialists. The present Scelba government is ruling with an infinitesimal and insecure majority— 11 votes in the Chamber and 9 in the Senate.The difficulty of excluding the left parties is becoming greater every day, all the more so since the Italian Socialist Party (P. S. I.) has adopted the position expressed in a recent speech of its leader, Pietro Nenni: "We pledge our support in the country and our votes in parliament to any government, formed of one party or of more, which, without entering into relations with ourselves and much less with our Communist comrades, will prove capable of basing its policy on an effort to decrease the tensions prevailing at home and abroad."

BUT if the expedients adopted by the Right to maintain its dominance are being challenged, political thinkers in Western Europe, especially those of left or liberal views, generally agree that the urgent necessity of social change both in Europe and in the less developed areas of the world calls for modifications of a different sort. Many agree with the English philosopher, Alfred North Whitehead, who said in his "Dialogues": "We English and Americans are singularly unimaginative in our interpretations of the term 'democracy'; we seem unable to admit under our definition any form of society which does not conform closely to our own." The directors of the study group designated by *Esprit* to tackle the problem (Alain Berger, Jean-Marie Domenach, and Paul Fraisse), analyze the question of a shift to a socialist economy and conclude that "some strengthening of the central political power is indispensable to prevent an attempted restoration of the evicted capitalist interests, especially inasmuch as the well-being of society would require the adoption and the functioning of a planned economy." None of the members of the group is a Communist. A similar if less drastic view was expressed by D. W. Brogan, professor of Political Science of Cambridge: "The French Revolution," he wrote, "is still psychologically going on. It is hard for Americans to realize this. France needs a new revolution in another sense. It needs to be made into a modern industrial power if it is not to decline to the status of Spain. Many Frenchmen think that this cannot be done in the terms of traditional democracy, that the United States, deliberately or not, is bolstering up an economic system that needs a complete reform which no parliamentary system is likely to produce." The economic and financial powers demanded by, and granted to, Prime Minister Mendès-France show that even the present National Assembly recognizes the need of a stronger executive if orderly change is to occur at all.

In France the discussion has spread to the universities, to centers of specialized political studies, and into the political parties themselves. It is not only the case of countries with a long democratic tradition, such as France, that is being considered. Another aspect under discussion is how the principle of majority rule and present-day parliamentary methods can be made to apply to peoples recently freed from colonial rule or to those whose institutions and liberties have been destroyed by prolonged dictatorships.

THE first question relates particularly to Indo-China and certain areas of Africa. But the second arises when one considers the future of a country like Spain. Though there is no question that the great majority of the Spanish people are against Franco, fifteen years of fascist dictatorship have so thoroughly destroyed the democratic fabric in Spain that to hold elections immediately after

Weltwoche of Zurich

The Coexistentialists

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the fall of the Franco regime could easily endanger the democratic government that will succeed him. The central authority can change, yet the survivors of the fascist power in the church, the army, the police, the administration, and the Falange, entrenched in every institution, every town and village, would still exercise such pressure on the people as to make general elections a farce. Democracy would be better served by a period of time during which a strong executive would reestablish normal conditions. Then the democratic process could be installed without destroying democracy itself, and the most urgent reforms could be initiated without parliamentary obstruction or sabotage.

These basic issues form part of the great debate. And although the participants in the controversy are European, and the subject is parliamentarianism as it has developed on the continent, much that is being said obviously has great relevance not only to the foreign policy of the United States but also to its domestic policy.

THE BUTLER BILL

Iron Maiden for Labor . . . *by Bernard Nossiter*

WHILE an enthralled nation watched Congress debate whether to outlaw Communists or merely their party, a crushing blow was dealt almost unnoticed to free trade unions. The scramble by frightened Congressmen to record their loathing for Communists actually developed as an afterthought to consideration of a labor bill. All the speeches, conferences, key votes, and newspaper attention were focussed on the afterthought. But the labor measure, after a feeble pigeon-holing attempt by "liberal" Senators, sailed through every vote without opposition.

The new law enables the Administration to wipe out trade unions it does not like and to tame all others. Amendments to the Subversive Activities Control Act contained in the measure add a new category to the list of proscribed groups: "Communist infiltrated." The definition of "Communist infiltrated" is broad enough to cover any organization left of the Women's Christian Temperance Union. Nominally the bill affects employer as well as labor groups, but its real objective is made plain in the sizeable portion of its text which describes the penalties awaiting unions that fall under the ban.

The law deprives all "tainted" unions of the services of the National Labor Relations Board. They cannot be certified as collective bargaining agents; they cannot prefer unfair labor practice charges against employers; their members presumably could be fired from their jobs for union activity as such. Employers can void contracts with them, need not bargain with them, and can open their plants to new labor elections in which the proscribed unions cannot participate.

IN one form or another this crackdown on "infiltrated" unions has been in the legislative hopper since last year when Senator Butler, Joe McCarthy's Maryland creation, introduced a measure much like the one finally approved. A year earlier Senator Humphrey had suggested the bill's main ingredients in an interview with *U. S. News and World Report*. (This is the same Humphrey who has been represented in some quarters as having sponsored the bill to outlaw Communists merely as a trick to defeat the labor law.) The immediate impetus for its passage came from the Administration's frustration over the N. L. R. B.'s inability to use Taft-Hartley non-Communist affidavits as a club to destroy unions considered "tainted." Less than a month after the Supreme Court had refused to sanction N. L. R. B.'s withholding of certification to unions whose officers were under indictment for filing false affidavits, Attorney General Brownell introduced a bill of dubious constitutionality aimed at liquidating "infiltrated" unions. Brownell reportedly did not consult Butler. Possibly out of pique, Butler had the Senate Judiciary Committee report out his own version on July 6. Except for delaying the application of penalties until after court review instead of upon accusation, this was essentially the bill which *The Nation* of November 28, 1953, discussed under the title H-Bomb for American Labor.

The labor federations, suddenly roused to action, succeeded in getting the House Judiciary Committee to refer Brownell's liquidation bill to a study commission. They then sank back, assured they were out of the woods. But Senator Knowland crossed them. He called up the Butler bill for debate on August 12, with Congress panting for adjournment. The "liberal" Democrats, plus Senators Ives and Cooper, moved to send the measure to a study commission, too. Defeated 56-31, they then sprang their outlaw-the-reds surprise as a substitute. By parliamentary jockeying the substitute and the Butler bill were lumped together. All the shouting was over the substitute tail, the Butler dog was forgotten, and with some modifications both measures were approved.

Entrance requirements for the "Communist-infiltrated" club are easy. A union need meet only two conditions. It must be

> . . . *Substantially* directed, dominated or controlled by *an individual* or individuals who are, or who *within three years* have been actively engaged, in knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement. . . . [Emphasis added.]

and it must be found that the union

BERNARD NOSSITER, a New York journalist and a frequent contributor to The Nation, *has just won a Christopher Award for literary craftsmanship.*

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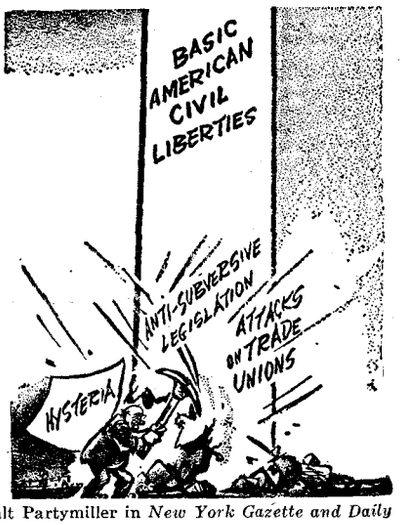
. . . Is knowingly serving or within three years has knowingly served as a means for (1) the giving of aid or support to any such organization, government or movement, *or* (2) the impairment of the *military strength of the United States or its industrial capacity* to funish logistical or other material support required by its armed forces. . . . [Emphasis added.]

Note that it does not need an officer to damn a union; any individual member will do, provided he is found to exercise "substantial" control, whatever that may mean. The three-year retroactivity provision broadens the dragnet; an articulate ex-Communist who recently departed the party could conceivably wreck a union merely by joining it. This fact should encourage enterprising employers who find unions a burden to hire party deserters and plant them in the shop local. Moreover a union can become "Communist infiltrated" even though it harbors not a single Communist, past or present. Might not a labor leader who expressed concern over H-bomb tests be charged wtih aiding "the world Communist movement"? Or consider what the definitions have to say about strikes. Surely in a cold-war era any strike anywhere impairs our military strength. As Dr. Oppenheimer has learned, disagreement with the air-force doctrine of offense is now tantamount to damaging our armed might.

THE law provides that the Attorney General may sponsor an organization's admission to the "Communist-infiltrated" club whenever he has "reason to believe" it is eligible. He can cite one or more unions at once. This is a kind of ten-strike provision which would seem to permit the naming of Harry Bridges's longshoremen and the independent International Longshoremen's Association on one petition. Should the petition against the Bridges union be upheld, the way would be open for knocking off the I. L. A. on the ground that it received a few thousand dollars from its West Coast colleagues during New York's recent waterfront elections.

The Attorney General's petition that an organization is "Communist infiltrated" will be considered by the Subversive Activities Control Board, which is to be guided in its judgments by seven criteria. The law does not require that a union meet all seven specifications to be found "Communist infiltrated."



Walt Partymiller in *New York Gazette and Daily*

Chip by Chip

The S. A. C. B. is merely instructed to consider "to what extent" the criteria apply.

The guides largely repeat the language of the definition of "Communist infiltrated" and add two jokers. One requires the board to consider whether the union's resources have been used at any time in the past three years to "promote the objectives of any . . . Communist organization." Communists, sincerely or not, have always urged racial equality. A union that demands anti-discrimination clauses in its contract can be deemed to be promoting a Communist objective. The second joker demands that the board consider whether any union member is concealing his affiliation with Communist movements. Thus any unionist who pleaded an amendment before a Congressional committee could taint his organization.

The bill's language is so fuzzy and its provisions so broad that its full import will not be grasped for a long time. However, some strange possibilities suggest themselves. For example James Carey, strongly anti-Communist president of the C. I. O.'s electrical workers, recently succeeded in winning over Leo Jandreau, leader of General Electric's Schenectady local, from the left-wing United Electrical Workers. If U. E., sure to be one of the new law's first targets, is declared "Communist infiltrated," Mr. Jandreau will have to bear the onus at least for three years. Should Mr. Carey's union then strike at a plant doing defense work (and what electrical plant isn't?), it will be vulnerable to prosecution on all counts of the new law. The supposition is not far-fetched. A General Electric spokesman told Senator Humphrey's labor subcommittee two years ago: "Even though Mr. Carey may think that joining the I. U. E.–C. I. O. automatically converts a poor security risk into a good one, it is hard for us to accept that opinion as anything other than a good example of Mr. Carey's convenience and expediency hard at work." The spokesman added: "It is incontrovertible that the strikes in our critical industries are presently having the effect of 'giving aid to the enemy.'"

Since the S. A. C. B.'s findings are subject to court reviews some time may elapse before any union can be cut off from the N. L. R. B. It is expected that the measure will be applied first against the unions which have been expelled from the C. I. O. In the report which accompanied the bill Senator Butler named the independent U. E. and the Mine, Mill, and Smelter Workers, among others, as "Communist controlled." These unions are in competition with C. I. O. internationals, a fact which may account for respectable labor's failure to wage a stronger fight against the law.

BUT if the law passes court tests it could also destroy the orthodox unions. As long as the cold war continues, and we have been promised generations of it, any group that criticizes a government policy or calls a strike is open to charges of "Communist infiltration." This is not to imply that this Administration is seeking a return to an open shop. What the business men behind the Administration want are docile unions that give workers the illusion that they are being represented. This kind of trade unionism, as the Soviet Union demonstrates, leads to far higher production than none at all. The law merely encourages respectable unionists to get rid of militants, be wary of strikes, and stay away from "political" questions. It offers the leadership an easy excuse to eliminate rank-and-file opponents.

Of course all trade unions denied the N. L. R. B. could follow John L. Lewis's post-Taft-Hartley advice and simply ignore the board, backing up their representation and contract demands by the basic weapon, the strike. But whether in this semi-garrison state the workers, mostly employed and mostly earning a better-than-survival wage, would support such a policy is another question.

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BOOKS

Asia's "Little Wars"

THE SWORD OF GOD. By René Hardy. Translated from the French by Humphrey Hare. Doubleday and Company. $3.95.

SHOW ME A HERO. By Melvin Voorhees. Simon and Schuster. $3.50.

BLAZE OF THE SUN. By Jean Hougron. Translated from the French by Mervyn Sevill. Farrar, Straus and Young. $3.75.

By Stanley Cooperman

WAR has shaped much of the world's fiction for two generations. The recent "little wars" in Asia, however, coming after a decade of genocide and bearing the threat of atomic annihilation, have produced a new literature of shifting realities. The essentially romantic nihilism of the First World War no longer exists, and even the horror of the second has become obsolete.

As reflected in fiction, three primary positions remain to men within the frame of "little war." The first of these, seen in "The Sword of God," René Hardy's novel of the struggle for Indo-China, is not so much despair as waiting —standing aside for someone or something to control the juggernaut of events. The second is one of baffled rage at the absence of any defined goal for efforts, such as the Korean action, which bring death to hundreds of thousands of human beings. In "Show Me a Hero" Melvin Voorhees, the controversial ex-army officer turned novelist, attempts to recreate the tragedy of an "old-school" American general caught in the maelstrom of Korea—a war whose political implications he cannot understand. In "Blaze of the Sun" Jean Hougron presents a third solution (very like Hemingway's "A Farewell to Arms")—an attempt to reduce and conquer chaos by the power of love between man and woman.

Readers expecting simple judgments will be disappointed in "The Sword of God," for violent as it is, it is of small comfort to partisans. The most striking portrait is that of Tah, the Asian revolutionary who personifies the whirlwind of counter-racism sweeping the Far East. The bitterness of Asian leaders like Tah is not limited entirely by political dogma; nor does it make exceptions for ideological bedfellows. It remains, even when combined with expediency, a tremendous outpouring of emotional and race pride blocked or degraded for centuries.

Despite a powerful, if frequently overwritten, narrative, Hardy becomes unconvincing when he deals with individual relationships. But from this inadequacy, however, he gives us a vivid portrait of a war in which—as he sees it —the ideal, the "honorable thing," the pocket-book, and the appetite merge into a sprawling and fever-ridden pastiche of horror.

In "Show Me a Hero" Melvin Voorhees gives the Korean conflict a slick and rapid treatment. Voorhees's story is contrived, and his method—the alternating point of view—is simply beyond his technical reach. There are some valuable close-ups of the American G. I.'s plight in Korea and some biting remarks on press coverage of the war. The Koreans themselves, however, exist as little more than faceless and anonymous victims. The inner conflicts of the chief protagonists are potentially moving but lose much of their effect under the omniscient preconclusions of Voorhees himself.

LOVE rather than war is the theme of Jean Hougron's novel, set in Indo-China. His prose in "Blaze of the Sun" is facile but deceptive, containing implicit rather than explicit emotion. Like Hemingway's "A Farewell to Arms," the book is primarily concerned with one hero, his death-in-life, his redeeming love against a background of war, his stoicism, and final isolation. Taut structure and drive reinforce this resemblance, while jungle heat and sun replace Hemingway's rain as a symbol of evil.

Hougron, however, is unable to maintain the quality of either his idyl or the tapestry of violence against which it takes place. He falls back, finally, on melodrama. What emerges beyond the central love story of the book is a new picture of the revolution in Indo-China —a picture of tough, well-trained jungle fighters whose military strength—it is now apparent—Hougron estimated correctly.

STANLEY COOPERMAN is a freelance writer specializing in criticism of modern fiction.

The Sense of Political Pitch

THE ROOSEVELT FAMILY OF SAGAMORE HILL. By Hermann Hagedorn. The Macmillan Company. $5.

THE REPUBLICAN ROOSEVELT. By John Morton Blum. Harvard. $3.50.

By Charles A. Madison

Mr. Blum's book concentrates on Theodore Roosevelt as citizen and politician; Mr. Hagedorn's volume depicts him chiefly as a human being and family man. The two books offer a striking contrast in approach and method of treatment. Mr. Hagedorn's work is full-bodied, informal in style, deliberately limited in scope; it gives evidence of intimate personal knowledge rather than of assiduous research and is almost inspirational in its uncritical admiration of the Roosevelt family. The setting is Sagamore Hill from the time Theodore Roosevelt made it his home with his second wife in 1887 till his death in 1919. The emphasis is on the home life of the growing family—the physically robust and consciously energetic parents and their ebullient and uninhibited six children. Roosevelt is portrayed as an extremely strenuous and intensely moral male, a model boy-scout leader with a genius for politics.

"I love all these children," Roosevelt wrote, "and have great fun with them; and I am touched by the way in which

CHARLES A. MADISON author of "Critics and Crusaders" and "American Labor Leaders," is completing a book on twentieth-century liberalism to be entitled "Dynamic Democracy."

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they feel that I am their special friend, champion, and companion." He was also their zealous teacher and inculcated in them the virtues and moralities by which he lived. By precept and example he taught them the advantages of the strenuous life and the glory of patriotism. He urged them over and over to enjoy life to the full and above all "to do something worth while."

Mr. Hagedorn also takes up Roosevelt's political achievements and disappointments—with notable lack of critical discernment—but this aspect of his hero's career is made of secondary importance. The sketches of the family—and of a host of visitors—are vivid.

MR. BLUM, the associate editor of T. R.'s eight volumes of letters, presents in the terse essays of this small book an intimate if in part familiar interpretation of the former President's character and career. He projects fresh light on certain of Roosevelt's motives and maneuvers, thereby showing a clear connection between the eminent politician's professions and performances. For instance, his conspicuous strenuosity is explained as the result of having early been influenced by the doctrine of social Darwinism. More than most men of his time he believed that the struggle for survival dominated not only primitive society but also the most advanced civilization. Governed by a strict morality, he exalted "common sense, courage, and common honesty"—traits which he possessed to a marked degree and which he made the yardstick for his fellows.

Perhaps the best essay in the book delineates Roosevelt's drive for power which culminated in his renomination in 1904. For all his professed political ethics, he no sooner assumed the Presidency than be began to devote all his ingenuity to divest Mark Hanna of his control of the Republican Party. In state after state he made full use of his power over federal patronage to place his own followers in key positions. Yet in all his shrewd maneuvering he kept satisfying his conscience that in no instance was the man he appointed undeserving of his office; it was his firm belief—largely justified—that in choosing his office-holders he was combining character and capacity with loyal partisanship.

Until near the end of his career Roosevelt possessed "an absolute sense of political pitch." He was able intuitively to sound the notes that reverberated naturally in the hearts of most Americans. Like them he "displayed a morbid fear of social violence"—accusing Bryan, Debs, and Haywood of Jacobinism and giving them no quarter—and considered the "malefactors of great wealth" economically obnoxious. Like them also he welcomed social change when it was orderly and within the bounds of morality. It was only in 1912 that his renewed quest for power, blocked by political chicane, caused him to plunge into genuine insurgency. Thereafter failure turned him into a shorn Samson tugging petulantly at the pillars of the Philistine temple.

Spanish Canvas

THE PAINTINGS OF FRANCISCO DE ZURBARAN. By Martin S. Soria. Phaidon Publishers. Distributed by Garden Books. $12.50.

By S. Lane Faison, Jr.

ZURBARAN ranks with Georges de La Tour and Piero della Francesca among old masters whose art was so austere that it took the twentieth century to rediscover them. In Zurbarán's case the very austerity which led to his early recognition as the most significant of all *purely Spanish* painters prior to Goya seems to have caused his eclipse. From about 1645, when he was nearly fifty, he was gradually overshadowed by Murillo in Seville. Zurbarán made the fatal mistake of trying to adapt his solemn art to his rival's cloying sweetness. Failing in this competition in the city where he had risen to fame, he moved to Madrid in 1658 and in the final six years allotted to him tried to bring his work into line with the Italianate overtones which Velasquez (d. 1660) had so successfully blended with a native Spanish gravity. Fortunately, however, there were occasional returns to the style of the 1630's, in which Zurbarán, at least to our modern eyes, was at his zenith. One of his finest works, a full-length portrait of a Doctor of Law (Fenway Court, Boston), painted soon after his arrival in Madrid, holds up well against what Christian Zervos has called Zurbarán's "dryness and precision, through which . . . a human soul seems ready to break."

Although the best of Zurbarán is in Spain—and, by the vicissitudes of fortune, at Grenoble—American collections are rich in his art. The list begins with the superb early St. Lucy (c. 1625, National Gallery, Washington) and continues with four masterpieces of around 1630 (the St. Serapion at Hartford; the St. Peter Nolasco recovering the Image of the Virgin, Cincinnati Mu-

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seum—perhaps America's finest; the St. Peter Thomas at Boston; and the St. Francis at St. Louis). It continues with important works of around 1640 (the Battle of El Sotillo at the Metropolitan Museum of Art, the St. Rufina at the Hispanic Society in New York, the St. Jerome at San Diego, and the superb colloquy between St. Jerome and two sainted nuns recently acquired by the Kress Foundation). Among the late works in American collections are the Doctor of Law already referred to, a large Annunciation at Philadelphia which rivals Poussin, and a Murillo-esque Madonna at San Diego. On the crucial question of Zurbarán's still lifes, in which he continues a theme established by Caravaggio, Soria includes a composition of Pears and Flowers at the Chicago Art Institute but rejects a better-known Still Life with Oranges and Lemons at St. Louis, which he considers a later copy of the wonderful painting in the collection of Count Contini-Bonacossi in Florence: "lacking mysticism, it [the St. Louis picture] is conceived as a naturalistic still life, not as a religious picture."

I have given the foregoing list partly to indicate what opportunities to experience Zurbarán's art at first hand are available to the American public and partly because the list itself indicates what a dozen years of research by Dr. Soria have achieved. This is the first consequential study of one of the world's great masters, and it is likely to stand as the definitive one. The *catalogue raisonné* is its chief contribution, though the thirty-page introductory essay is useful in showing Zurbarán's evolution from mannerist beginnings and from Spanish polychromed sculpture and in tracing the unfolding of his career. The one hundred full-page plates are up to the high standard set by previous Phaidon monographs, and the nine color plates are better than usual in this series, partly because Zurbarán's use of large flat color areas with high value contrasts lends itself to reproduction.

After reading this book and studying its profuse illustrations—nearly two hundred smaller cuts appear in the catalogue—one cannot escape the conclusion that the art of Zurbarán's great predecessor, El Greco, was only partially Spanish in character, and that his great contemporary, Velasquez, left a Spanish base in favor of an internationally oriented production. Another great contemporary who influenced Zurbarán, Jusepe de Ribera, lies much closer to the Italians, as his life-long residence in Naples would seem to suggest.

The Phaidon Press is to be congratulated in continuing to provide monographs of the highest quality by scholars, like Martin Soria, of the greatest competence. One looks forward to the author's more general book on Spanish painting on which he is at work for the Pelican History of Art.

Up from Reconstruction

THE NEGRO IN AMERICAN LIFE AND THOUGHT. By Rayford W. Logan. Dial Press. $5.

BREAKTHROUGH ON THE COLOR FRONT. By Lee Nichols. Random House. $3.50.

By Saunders Redding

THERE can be little doubt that when President Rutherford B. Hayes made an official tour of the South in 1877 he was laboring under a misapprehension. There is also little doubt that his was a "conducted" tour. The misapprehension was that his gesture of good-will could persuade the former slave-holding states to respect the rights of the freedmen—rights that had been written into the Constitution by amendment and supposedly safeguarded by mandatory legislation, the latest being the Civil Rights Act of 1875. The tour was conducted by carpet-baggers.

But though the carpet-baggers were Hayes's political friends, they were the enemies of his broad social hopes, and they had already defeated his purpose. Hayes had been elected by a temporary coalition of Northerners interested principally in economic exploitation and Southerners interested principally in politics and a return to the tripartite social structure that the Civil War had disrupted. On the one hand, the Freedmen's Bureau was at work; on the other Reconstruction was dying. Indeed, the Reconstruction acts of 1867 were nullified by Hayes himself when, in the very year of his tour, he withdrew from the South the troops stationed there to see that the acts were obeyed. The Fourteenth and Fifteenth amendments were everywhere disregarded. The former slaves, often as misguided as they were ignorant, were being pressed back into a condition differing little from slavery. By 1895 the nadir had been reached, and Booker Washington, as self-seeking as the rankest carpet-bagger, could make his infamous Atlanta Exposition speech to much applause from North and South.

That speech gave substance to the claims of those who believed in the Negro's inherent inferiority and laid down principles that would keep the Negro inferior. White reactionaries were jubilant. They proclaimed Booker Washington *the* Negro leader, and from then until his death Washington worked assiduously to suppress every forward-looking Negro effort. Disfranchisement, exclusion from even the simpler benefits of citizenship, gross discrimination went on apace. By 1900 the Negro had resigned himself to third-class citizenship.

Dr. Logan's book is almost painfully enlightening. It is proof of the author's scholarship that the facts are set down objectively and that the conclusions based on them are not only sound but temperate. No reader can miss the significance of this brilliant first volume of a projected—and long needed—reevaluation of an important aspect of American history.

Lee Nichols's book tells how Negroes obtained equality of treatment and opportunity in the armed services. The effects of race discrimination on the Negro in particular and the American social order in general have long been recognized by an intelligent minority, but it took the necessities of the Second World War to produce an atmosphere conducive to legislative action on the legislative level, and even then the action was meant to be only mollifying. Few people took seriously the clause in the Selective Service Act of 1940 barring racial discrimination in the armed forces. About the only immediate result

SAUNDERS REDDING, professor of English at Hampton Institute, is the author of "Americans from Africa" and a forthcoming book, "An American in India," a report on the Indian dilemma.

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it had was to force the navy to accept more Negroes than formerly. Secretary of War Stimson and General George Marshall were themselves opposed to the integration of Negroes in the armed forces. Illiberal attitudes were encouraged in the lower echelons of the army, since it was believed that segregation had "proved satisfactory . . . and to make changes would produce situations destructive to morale and detrimental o the preparations for the national defense." Against this opposition the Negroes William Hastie, civilian aide to Stimson, Colonel Campbell B. Johnson, special aide to General Hershe , Director of the Draft, and Colonel Benjamin O. Davis, hastily elevated to Brigadier General, were helpless.

Stories from the battlefronts supported those who argued that the Negro did not make a good fighting man and that he should be segregated in non fighting battalions. The men of the Negro 92nd division were accused of "drifting to the rear" in the fighting in Italy and of "excessive straggling and disorganization. Early reports from Korea said that Negroes of the 24th infantry "fled like rabbits.

But by now there was a sizable minority that knew that if these things were true, they were true for the very reason that Negroes were segregated. In 1948 President Truman determined to do something about it. He set up the Fahy committee whose function was to explore ways of "overcoming segregation in the armed forces. How earnestly and well that committee worked—aided by many individuals on many levels of policy and administration—and how it finally achieved its goal is the substance of "Breakthrough on the Color Fro "

But also, as Mr. Nichols himself vs, his book "is the story of the coming of age of the American Negro" in the armed services; "of Negroes who battled through nearly two centuries for the 'right to fight' for their country; of Negro men and women who, despite grave abuses, generally kept their sense of national loyalty and dignity."

NEXT WEEK

The Treason of the People

by Ferdinand Lundberg

Reviewed by H. H. Wilson

Sex Offenders and the Law

THE SEXUAL OFFENDER AND HIS OFFENSES. By Benjamin Karpman. The Julian Press. $10.

THE AMERICAN SEXUAL TRAGEDY. By Albert Ellis. Twayne Publishers. $4.50.

By Bernice Engle

AN ENCYCLOPEDIC 743-page book, "The Sexual Offender and His Offenses," is intended for professional persons and adult students in the biologic and social sciences. Doctor Karpman has practiced psychiatry, including much work with criminals, for more than thirty years. He is chief psychotherapist in St. Elizabeth's Hospital, Washington, which not long ago opened an entire floor for treatment of sex offenders committed under the District of Columbia's sex-psychopath law.

BERNICE ENGLE is engaged in research into sex crimes at the Langley Porter Clinic, Department of Mental Hygiene, State of California.

The author divides the book into two parts. In the first he reviews the literature on sex offenses for the past quarter-century. In the second he formulates his own notions, reports verbatim discussions of them by psychiatrists and other specialists whose opinions often duplicate the review of the literature, and includes chronological summaries of the bibliography. This makes for verbiage and repetition.

Certain problems, though some agreement on them exists, remain unresolved. Take exhibitionism and voyeurism, for example. Karpman reviews the subject at length, citing case histories, and explains his view of the perversions or paraphilias, but discusses exhibitionism and voyeurism specifically in less than a page. A social worker seeking information would find general agreement that these nuisance offenses are committed by timid, heterosexually immature individuals but would get no clear idea of practical methods of treatment and prevention.

YOUNG PEOPLE!

ASK YOUR TEACHERS, PASTORS, PARENTS

(Beyond selling space for publication of the accompanying material, *The Nation* is not to be held responsible for statements contained in the material)

Ask respectfully why it is that in High School and College you can learn what scholars have to say about the history of many countries, but that our educational system gives you no corresponding scholarly instruction about the history of the Hebrew nation.

According to the first five books of the Bible, our ideas about God were given as a revelation from heaven upon Mount Sinai in the wilderness of Arabia. But a new translation of the Bible has just been made by scholars from our leading institutions of higher learning, who do not accept the story of revelation in the first five Scriptural books.

Scholars today, in Harvard, Yale and other great universities, teach that our ideas about God, instead of being given on a mountain in the desert, were developed through a very intriguing process of evolution in the land of Canaan, or Palestine. But young people are completely shut out from this new and highly interesting way of teaching Hebrew history and the Bible.

Our educational system, then, is actually a party to your exclusion from the results of modern scientific research into Hebrew history and the Bible. And as long as this appalling situation remains unchanged, you should not be criticised if you are bored by orthodox religious exhortation. But bear in mind, when raising the question with your teachers, pastors and parents, that they are carrying serious burdens, and are more solicitous for your welfare than you fully realize. Friendly discussion and not controversy is what we need today.—Suggestions will be found in a circular which will be forwarded to young people, from eighteen to eighty, in return for a three cent stamp to cover postage. (Requests without a stamp will bring no result.)—L. Wallis, Box 73, Forest Hills, Long Island, New York.

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The sections on homosexuality and on the sex-psychopath laws are among the best in the book. Karpman considers overt or latent homosexuality a sign of retarded emotional development that often begins in infancy, so that the individual cannot be held responsible. Exactly as in heterosexual crime, the most serious homosexual crime is seduction of the young or any form of coercive sexual activity. To call homosexuality a threat to national security merely puts a premium on blackmail, because homosexuals are quite as heterogeneous as are heterosexuals, and the type that turns into a security risk is rare. Homosexuality is a most complex condition that sometimes responds to psychotherapy if it is earnestly wanted. Therefore, until a cure can be found, Karpman would recognize homosexuality as a fact and remove discriminatory laws as the best way to cut down blackmail.

Karpman's criticism of the many defects and injustices in the sex-psychopath laws is important. As analyses contained in the final report of the California Sexual Deviation Research Commission show, at least twenty of the forty-nine United States jurisdictions have special sex legislation, the sex-psychopath laws. Most psychiatrists agree that the concept of sexual psychopathy cannot be exactly defined for effective judicial use. Penalties for sex offenses also differ widely. Sentences for sodomy vary from thirty days in one locality to life in several states. One result is confusion in diagnosis and commitment; so that a persistent exhibitionist draws an indefinite commitment, while a serious sex offender gets off with an ordinary criminal sentence. Karpman recommends a multi-disciplinary research program as the best approach to these vexing problems.

Albert Ellis, formerly chief psychologist of the state of New Jersey, is now in the private practice of psychotherapy and marriage counseling in New York City. His earlier book, "The Folklore of Sex," explored sex attitudes and superstitions as expressed in magazines, movies, and other materials directed to mass audiences early in 1950. The present book, "The American Sexual Tragedy," using similar materials, sprinkles in brief case histories and ambitiously attempts to draw up a popular "blueprint for a better sex-marriage life."

Ellis attributes most of the difficulties in family life to American glorifying of flawless female beauty and dress, teasing courtships, virginal weddings. The result is either frigid-impotent marriages and children damaged by momism, or shame and guilt for those who challenge the popular sex codes.

The Ellis blueprint allows men and women, both in and out of marriage, the greatest sexual freedom to indulge in masturbation, petting to orgasm, homosexual relations, other so-called perversions, and coitus; without making monogamous coitus the be-all and end-all of sex life. Homosexual relations are considered abnormal only if the individual simply cannot ever have any type of heterosexual relations. No sex, love, or marital act is to be banned or frowned upon "unless it specifically, needlessly, gratuitously, and forcibly results in one individual's harming another individual or individuals."

Ellis points out many confusions and unnecessary contradictions in contemporary sex mores but overlooks or barely mentions the many other cultural factors —for example, the drive to financial success—that affect sex habits. He gravely underestimates the many difficulties presented in linking sex, love, marriage, and child-raising, although he recognizes "the desirability, perhaps, of intertwining such functions in certain (and perhaps most) instances."

Records

B. H. Haggin

FIVE of Rameau's Six Concerts en Sextuor played by the Hewitt Chamber Orchestra on a Haydn Society record were—we are informed on the record envelope—"transcribed (either by Rameau or by one of his disciples) from the Pièces en concert avec violon ou flûte et second violon ou viole" (1741); while the sixth is a transcription of some of the pieces for harpsichord alone (1731). All six offer the most charming and lovely music by this composer that I can recall hearing, with the middle pieces of Nos. 1, 3, and 5 and the Menuet of No. 6 standing out even among the rest. Excellent performances too.

Another Haydn Society record offers disappointing performances of Mozart's Clarinet Concerto K.622 and Clarinet Quintet K.581. What is disappointing is the playing of the clarinetist F. Etienne with the Hewitt Orchestra and the Vegh Quartet—his loud tone in the concerto, his less loud but no more beautiful tone in the quintet, and in both works the absence of anything that could be called inflection of this tone in musical phrasing.

A Columbia record offers one of Handel's most beautiful instrumental works, the Sonata Op. 1 No. 13 for violin and figured bass, usually referred to as No. 4 in D major, together with Tartini's engaging Violin Concerto in D minor and less interesting Violin Sonata in G, and Bach's Violin Concerto in G minor as reconstructed by Gustav Schreck from the Clavier Concerto in F minor, a work I don't care much for in either form. These are played by Szigeti—the concertos with an orchestra under Szell, the sonatas with Carol Bussotti at the piano. Szigeti's tone is not entirely steady in the sustained phrases of the opening movement of the Handel sonata, but it is agreeable, and elsewhere it moves with unusual freedom and expansiveness; and this is only one of the ways in which these are good performances.

Spa offers what we are assured is Beethoven's own rewriting of his Violin Concerto as a piano concerto, played by Helen Schnabel with a Viennese orchestra under F. Charles Adler. The rewritten piano part does come off; but the tone of the violin lends itself to a greater expansiveness in the work's lyrical passages than is possible with the piano. Once more I am impressed by the qualities of Mrs. Schnabel's playing that remind me of her great father-in-law's.

A-900 was incorrectly given me as the number of the U. S. Rubber Company Royal shock mountings that I used with my Rek-O-Kut motor (*The Nation*, July 10). Inquiry of the company re-

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sulted in my being sent some A-301 mountings, which look like the ones I used. They can be obtained from the U. S. Rubber Company's Mechanical Goods Division.

ARTHUR BERGER has written an excellent book on Aaron Copland and his music (Oxford, $3.50), of which one valuable feature is a detailed discussion and analysis, well illustrated with quotations in music-type, of Copland's works, and an explanation of them in terms of the development of Copland's language and style. This is something one wants to have; but there is, I find, the same point to make about it that I made once about Gerald Abraham's excellent book "This Modern Music." I said then that having the principle of organization in a passage of Schönberg explained to me by Mr. Abraham did not cause the passage to make coherent sense as heard; and I can say now that having the language, syntax, and structural organization of Copland's Piano Variations (1930) explained to me by Mr. Berger did not cause the piece to say any more to me as music when I listened to Webster Aitken's recent recorded performance than it had said on previous occasions when I had listened without the "understanding." Mr. Berger can show how elements in the Variations and other abstract works of Copland are a development of the jazz elements in the earlier "Music for the Theater"; but that doesn't make these abstract works enjoyable to listen to, as "Music for the Theater" is.

And that brings me to another point. We had Copland writing years ago—notably in his book "Our New Music" (1941)—about the "fantastic notions" with which "newspaper writers and radio commentators who ought to know better" had misrepresented modern music, prejudiced the public against it, and kept the public from hearing in Schönberg and von Webern, in Riegger and Sessions, an "enriched musical language" that made it "*our* music," as natural and acceptable to our ears, as interesting and significant to our minds, as people a hundred and two hundred years ago found *their* music. But we now have Berger telling us that accessible and engaging works like "Billy the Kid" (1938) and the film scores represented Copland's decision to stop writing esoteric abstract works for a small special public and write instead music that would interest the large general music public; and we have him quoting Copland himself:

> . . . I began to feel an increasing dissatisfaction with the relations of the music-loving public and the living composer. The old "special" public of the modern music concerts had fallen away, and the conventional concert public continued apathetic or indifferent to anything but the established classics. It seemed to me that we composers were in danger of working in a vacuum. Moreover, an entirely new public for music had grown up around the radio and phonograph. It made no sense to ignore them and to continue writing as if they did not exist. I felt that it was worth the effort to see if I couldn't say what I had to say in the simplest possible terms.

And so it turns out that Copland was making those statements about "*our* music" in 1941 several years after he had recognized that this was *not* music we could be expected to find as natural and acceptable to our ears, as interesting and significant to our minds, as people a hundred or two hundred years ago found *their* music.

Letters

(Continued from inside front cover)

Dear Sirs: As a former student of Professor Frederick L. Schuman, I was quite disturbed by his letter in the May 1 issue of *The Nation*. In particular, his statement that the Subversive Activities Control Board "has scrupulously observed due process and has in no way violated intellectual freedom" deserves careful scrutiny.

Due process of law is based on the existence of clear and definite charges, involving justiciable issues of fact, which offer the accused an opportunity to prepare a specific defense. If, from the outset, the charge is so vague as to make a defense difficult or impossible, no amount of reasonableness on the part of the tribunal can cleanse the proceeding of its inquisitorial nature. Professor Schuman readily admits that there is "much to be desired in the way of criteria for defining 'Communist-action' and 'Communist-front' organizations." Due process of law under these circumstances is as unlikely as in the trial of a person accused of being an "enemy of the state." No amount of judicial trappings can cure this defect.

The problem of definition is apparent in Professor Schuman's statement that "No pursuit of heresy is here involved save the heresy of communism—which is obviously a heresy. . . ." Professor Schuman must know, from personal experience, how flimsy is the barrier that separates the accepted dissenter from the scorned heretic. Communism is "obviously" a heresy to Professor Schuman. But Professor Schuman's views on foreign policy are "obviously" heretic to many individuals, some of whom hold important positions in the government of the United States. Would Professor Schuman still defend the procedures of the S. A. C. B. if an organization of which he were the spokesman was accused of being a "Communist front"? Would the politeness of the board members obviate the fact that due process is impossible if a person is asked to defend himself against a charge which cannot be accurately defined?

(Continued on page 200)

one but four criteria, a point the drafters of the veto message apparently overlooked.

Small wonder then that, with the veto overridden, Mr. Truman, after a month's reflection, filled up the five places on the board as the Security Act provided and ordered his Attorney General to enforce it. The Smith Act was ignored for ten years before its first enforcement, but Mr. Truman ordered J. Howard McGrath to enforce this act at once.

As Mr. Truman reconsidered, so might *The Nation* reconsider. Matched against the S. A. C. B.'s performance, your criticism of the agency goes awry. Following the conclusion of the first case, in which the board found the Communist Party to be engaged in Communist action, Attorney General Brownell filed petitions on twelve alleged Communist-front organizations. In each of these cases that crucial conjunction "a-n-d" has governed. In each case the proof of front activities squares not with one but with four criteria. There is no evidence to support Editor McWilliams's claim that the S. A. C. B. is out to get liberal organizations, unless he equates liberalism with Communist-fronting, as I am sure he does not. Further, I am certain that the intent of the legislation was to control only organizations stamped beyond a reasonable doubt as Communist-action units or Communist fronts.

History as it is being written supports the learned Professor Schuman's position that the S. A. C. B. operations apply to communism alone. If others have evidence to the contrary, I join Professor Schuman in inviting them to come forward and show it. And this invitation is issued by me in my capacity as a member of the Senate Internal Security Subcommittee.

ARTHUR V. WATKINS

Washington, D. C.

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Letters

(Continued from page 199)

Due process cannot hang by the slender thread of the good will of the Attorney General or the reasonableness of the members of a tribunal. Nor can it exist where the outcome of the proceeding is determined in advance. Does Professor Schuman doubt for a moment that every organization accused by the Attorney General will, in the present atmosphere, be found guilty by the board?

Professor Schuman appears to believe that due process is not violated until the board abuses its power. Surely history warns against such complacency. The Star Chamber of seventeenth-century England made notable contributions to the development of the English criminal law. But the inquisitorial nature of its procedure violated due process, as we know it today, and its subsequent abuse of power has made it synonymous with political tyranny. From the perspective of history it is apparent that the evils of Star Chamber began not with the abuse of the inquisitorial procedure but with the establishment of a judicial tribunal which, by its very nature, could be readily transformed into an instrument of suppression.

It is difficult to sustain Professor Schuman's judgment that the board "has in no way violated intellectual freedom." The very process by which entire groups are designated as "Communist fronts" is a violation of intellectual freedom for it inhibits individuals from translating their beliefs into group action. The organizations accused by the Attorney General are held to task not because of overt acts, but because of views which, in his opinion, are deemed to be subversive. How can a board avoid violating intellectual freedom when its whole purpose is to pass judgment or groups because of their ideas?

In light of these considerations, I submit that the S. A. C. B. violates due process of law and intellectual freedom every day it functions. Professor Schuman, in defending the board, writes, ". . . it is desirable, by the very canons of liberalism, that heretics be honest." He has, however, overlooked a more fundamental rule: it is *essential*, by the very canons of liberty, that heretics be free.

New York NORMAN REDLICH

The Sweezy Case

Dear Sirs: Readers of *The Nation* may be interested to know that an "Anti-Inquisition Fund" has been set up to help defray expenses in connection with the Paul Sweezy case, dealt with elsewhere in this issue. Contributions should be sent to the fund at 66 Barrow Street, New York 14, N. Y. H. H. WILSON

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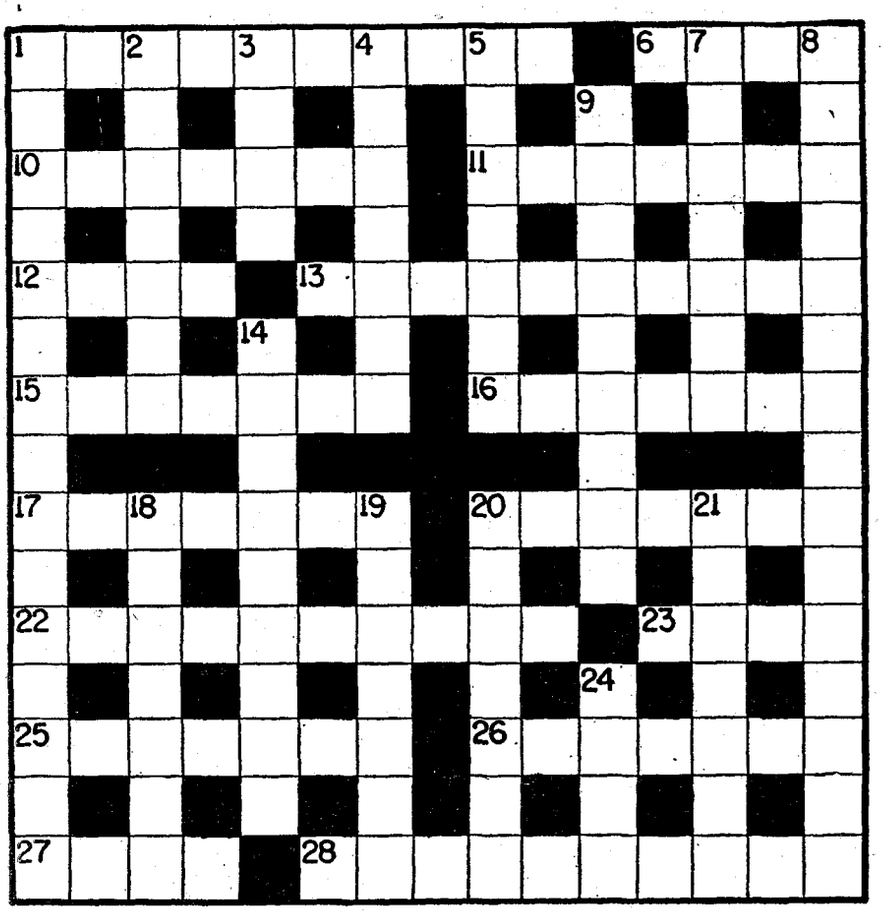
Crossword Puzzle No. 583

BY FRANK W. LEWIS



ACROSS

1 Mezzanine? (Evidently not enough change for the conservative.) (5, 5)
6 The taste of this fungus is not good. (4)
10 You take a chance with such a literary criminal. (7)
11 All rite, in the strict sense. (7)
12 Straight from the herd, perhaps. (4)
13 Wrong side of a first-class carriage? It's not civil, as a rule! (7, 3)
15 Let yourself go! (7)
16 Plaza-Toro, perhaps. (7)
17 A strange way of crushing stones! (7)
20 Examine a portion with express concern. (7)
22 Never eat it through habit! (10)
23 Certainly not the way to urge your team on. (4)
25 Old masters sometimes thought one did better under the rod and reel. (7)
26 Operatic part of Napoleon or Attila. (7)
27 Pitch. (4)
28 No longer damaged nor broken in battle. (10)

DOWN

1 Less and less purple associated with the wall, perhaps. (9, 6)
2 Hardly the manner of Venus. (3–4)
3 To be inclined to go in the lists. (4)
4 If you go like this, it doesn't imply any lack of will. (7)
5 1 across might perhaps be kept in the family. (7)
7 Like the halls Arline dreamed of (7)
8 Register at our reunion? (4, 2, 4, 5)
9 Tom comes up in the way he might look, proverbially. (9)
14 The sound of jazz on the driveway, perhaps. (9)
18 Changes several shows in its new look. (7)
19 Walker, perhaps. (7)
20 Sounds like a catamount and a tree. (7)
21 Yellowish. (7)
24 Drill can weary with repetition. (4)

• • •

SOLUTION TO PUZZLE No. 582

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DOWN:—3 RED CLOVER; 3 and 22 NUCLEAR FISSION; 4 OAST; 5 HEROICS; 6 and 8 BARN SWALLOW; 7 TOWHEE; 16 RUNNYMEDE; 18 PRIMES; 19 CROCHET; 20 DIARIES; 21 EVERTS; 23 SKATE; 25 and 20 TAXI DANCER.

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